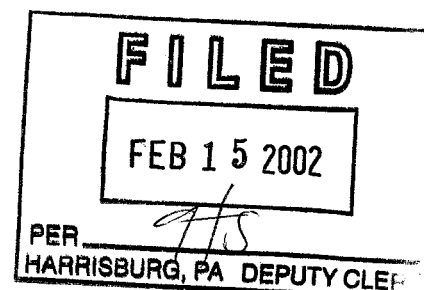


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UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

EDWARD ACKERMAN, : CIVIL NO. 1:CV-01-1048
Petitioner :
 : (Judge Caldwell)
vs. :
 :
JOHN McCULLOUGH, :
Respondent :

MOTION FOR EXTENSION OF TIME



1. On February 8, 2002, the Honorable William W. Caldwell ordered the Commonwealth to comply with paragraphs 3 and 4 of his order of August 23, 2001, on the merits of Mr. Ackerman's petition for writ of habeas corpus within twenty (20) days.

2. The Commonwealth is preparing for guilty pleas, pre-trial conferences and jury selection within the next three (3) weeks and is unable to comply with this Court's Order within this time frame. (See Exhibit A, Schuylkill County Court Calendar, attached hereto.)

3. The Commonwealth is respectfully requesting a sixty (60) day extension.

4. This time frame is needed for there a numerous transcripts generated from two (2) separate trials that the Commonwealth will need to copy.

Respectfully submitted,

Karen Byrnes Noon
KAREN BYRNES-NOON
ASSISTANT DISTRICT ATTORNEY
I.D. No. 44261
SCHUYLKILL COUNTY COURTHOUSE
401 NORTH SECOND STREET
POTTSVILLE, PA 17901
(570) 628-1350

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	:	
JOHN McCULLOUGH,	:	
Respondent	:	

CERTIFICATION OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing Motion for Extension of Time upon the person and in the manner indicated below:

Service by first class mail on:

Edward Ackerman, #CW-5843
SCI - Houtzdale
P. O. Box 1000
Houtzdale, PA 16698

February 13, 2002



KAREN BYRNES NOON
ASSISTANT DISTRICT ATTORNEY
I.D. NO. 44261
SCHUYLKILL COUNTY COURTHOUSE
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POTTSVILLE, PA 17901-2520
(570) 628-1350

EXHIBIT A

Orphans' Court motions shall be filed in the Office of Register & Will during business hours Monday through Friday for oral and written. The Deputy Court Administrator of Orphans' Court Division.